

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**STRATEGIC MATERIALS, INC.**

**and**

**Case 08-CA-149572**

**TEAMSTERS LOCAL UNION NO. 436 a/w  
INTERNATIONAL BROTHERHOOD OF  
TEAMSTERS**

**ORDER<sup>1</sup>**

The petition to partially revoke subpoena duces tecum B-1-MPZOWN filed by Strategic Materials, Inc. is denied. The subpoena seeks information relevant to the matters under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Petitioner has failed to establish any other legal basis for revoking the subpoena.<sup>2</sup> See generally, *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., August 24, 2015.

MARK GASTON PEARCE,      CHAIRMAN

PHILIP A. MISCIMARRA,      MEMBER

KENT Y. HIROZAWA,      MEMBER

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>2</sup> To the extent that the subpoena encompasses some documents that the Employer believes in good faith to be subject to the attorney-client privilege or the attorney work product doctrine, this Order is without prejudice to the Employer's prompt submission of a privilege log to the Region identifying and describing each such document, and providing sufficient detail to permit an assessment of the Employer's claim of privilege or protection. The Employer is directed to produce all responsive documents in its possession not subject to any good-faith claim of privilege or protection.